



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JOHN F. SCHUNHOFF, Ph.D.
Chief Deputy Director

313 North Figueroa Street, Room 806
Los Angeles, California 90012
TEL (213) 240-8117 • FAX (213) 975-1273

www.lapublichealth.org




BOARD OF SUPERVISORS

Gloria Molina
First District
Yvonne B. Burke
Second District
Zev Yaroslavsky
Third District
Don Knabe
Fourth District
Michael D. Antonovich
Fifth District

May 8, 2007

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H. 
Director and Health Officer

SUBJECT: **TRANS FAT REDUCTION AND NUTRITIONAL LABELING**

On January 30, 2007, the Board approved a motion by Supervisor Burke, which 1) instructed the Director of Public Health to develop for Board review and approval within 45 days, a voluntary, incentive-based program for trans fat reduction in food sold in retail food facilities, 2) instructed the Director of Public Health to work with the CAO and County Counsel to develop contract language which will require operators of food facilities who prepare and serve food in County buildings to comply with limits on trans fats in servings, and 3) went on record in support of State legislation that would a) restrict the amount of trans fat in retail food facility food servings and b) promote the availability of calorie and nutritional labeling by retail food facilities on their menus and menu boards.

On March 16, 2007, I provided you with an initial status report on this motion. This is an update on actions taken since the first report.

Voluntary Incentive-based Trans Fat Reduction Program

Key components of the incentive-based, voluntary program will include:

- development of a voluntary fee-based program in which food facilities can request Environmental Health (EH) to validate their compliance,
- development of a window decal to alert consumers that a restaurant has taken positive steps to protect the heart health of diners, and
- publication of participating restaurants on Public Health's Environmental Health website so consumers can find restaurants that have reduced artificial trans fats.

On April 18, 2007, the Department convened the second meeting of the Voluntary Artificial Trans Fat Action Team (VATFAT) task force to refine the guidelines for the voluntary, incentive-based education and certification program. Fourteen members were in attendance. A new member from Ventura Foods, a manufacturer of trans fat free cooking oil, was added to the Task Force to discuss alternatives to using trans fats.

Environmental Health distributed and explained the modified proposed application procedures. Under the new guidelines, participating food facilities will be required to submit ingredient labels and/or manufacturer's documentation to Environmental Health with their application. Members raised concerns about proprietary information being kept on file by EH. EH agreed to return the documents to the food facilities after review. One of the key discussion items was a proposal that, after the initial review, food facilities also be required to notify EH within 60 calendar days if they change menu items, ingredients or ingredient brands. [Public Health staff have discussed this issue since the Task Force meeting and will propose a process which minimizes paperwork, but maintains accountability for conformance with the guidelines. This will be discussed at the next Task Force meeting.]

Several members expressed their concerns about the amount of the fee to be charged to participating food facilities, saying that this will determine whether or not they will participate. The fee will be based on labor costs for the program and will be verified by the Auditor-Controller. An estimate will be calculated prior to the next Task Force meeting.

Food facilities such as bakeries, cafes or delis within grocery stores will be eligible to participate in the program. The certification would only apply to the participating food service, not to the grocery store as a whole.

Concerns were raised about the capacity of Environment Health to process a large number of applications at once when the program is launched without excessive delays for restaurants. Everyone will want to have equal chance to participate on the same date. Environment Health stated they will marshal needed help for the start up.

Additional sample decals were presented to the task force members for review and feedback. They reviewed the decals and suggested further changes. There was not final agreement on the decal design.

| TIME LINE | |
|------------------------|--|
| May 31, 2007 | - Hold Third Task Force meeting by May 31 |
| June 18, 2007 | - Finalize procedures for Application Process - Finalize incentive decal and program logo |
| June 26, 2007 | -Introduction of Ordinance to Implement Program and Set Fee |
| July 3, 2007 | - Adoption of Ordinance |
| July 16, 2007 | - Finalize Environmental Health policy for application review and on-site inspections - Finalize application form with declarations page and on-site inspection report form - Establish Environmental Health data tracking service codes associated with ATFR Program activities |
| August 1, 2007 | - Ordinance becomes effective |
| August 2, 2007 | - Train Environmental Health senior inspection personnel |
| August 6, 2007 | - Mass mail an advisory to all permitted retail food facilities that introduces the ATFR Program and details the process/criteria for participation |
| August 20, 2007 | - Implementation/formal start date of ATFR Program |

County Food Service Contracts

Representatives from Public Health, the Chief Administrative Office and CulinArt, a food service vendor which has contracts with Los Angeles County held a follow-up telephone conference on April 25, 2007 to discuss the addition of language to restrict trans fats in food service contracts with the County. This vendor has already switched grill and fryer oil and has knowledge of the cost and availability of replacement oils. He stated the cost of alternate oils has gone down recently as demand has increased and as national suppliers have needed to meet the new regulations in New York. The preliminary outline of the program was discussed and this vendor did not anticipate major obstacles to compliance. Many of the CAO food service contracts are currently on a month-to-month basis, so the trans fat restriction language can be added at any time to those contracts. The next step is to discuss this initiative with other County departments with food service contracts and to work with County Counsel on the contract language.

County Support for State Legislation

The Department is working with the Chief Administrative Office to identify and follow State bills which should be supported based on the Boards motion. The CAO will include updates on these bills in its periodic Sacramento legislative status memos to the Board.

I will provide you with another status report on this motion by June 15, 2007. In the meantime, if you have any questions or need additional information, please let me know.

JEF:js
PH:612:005

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors